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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Armenia, Belgium, Bulgaria, Croatia, Cyprus, Estonia, Fiji, Finland, Germany, Greece, Hungary, Italy, Jordan, Latvia, Lithuania, Luxembourg, Malta, Morocco, Netherlands, Panama, Poland, Romania, Slovakia, Slovenia, Spain and the former Yugoslav Republic of Macedonia: draft resolution

The human right to safe drinking water and sanitation

The General Assembly,

Recalling its resolution 64/292 of 28 July 2010, in which it recognized the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights, and 68/157 of 18 December 2013 entitled "The human right to safe drinking water and sanitation",

Reaffirming the previous resolutions of the Human Rights Council regarding the human right to safe drinking water and sanitation, inter alia, Council resolutions 24/18 of 27 September 2013[1] and 27/7 of 24 September 2014,[2]

Recalling the Universal Declaration of Human Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the International Convention on the Elimination of All Forms of Racial Discrimination,[5] the Convention on the Elimination of All Forms of

[1] *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53 A* (A/68/53/Add.1), chap. III.
[2] Ibid., *Sixty-ninth Session, Supplement No. 53 A and corrigenda* (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.
[3] Resolution 217 A (III).
[4] Resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 660, No. 9464.

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Discrimination against Women,[6] the Convention on the Rights of the Child[7] and the Convention on the Rights of Persons with Disabilities,[8]

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[9] including the reaffirmation of commitments regarding the human right to safe drinking water and sanitation therein,

Recalling the Rio Declaration on Environment and Development of June 1992[10] and its resolution 66/288 of 27 July 2012, entitled "The future we want", and emphasizing the critical importance of water and sanitation within the three dimensions of sustainable development,

Reaffirming also its resolutions 58/217 of 23 December 2003, by which it proclaimed the period from 2005 to 2015 the International Decade for Action, "Water for Life", 61/192 of 20 December 2006, by which it established 2008 as the International Year for Sanitation, and 65/153 of 20 December 2010, by which it called upon Member States to support "Sustainable sanitation: the five-year drive to 2015", and recalling its resolution 65/154 of 20 December 2010, by which it declared 2013 the International Year of Water Cooperation,

Recalling the designation of 19 November as World Toilet Day, in the context of Sanitation for All, pursuant to General Assembly resolution 67/291 of 24 July 2013, in which the Assembly encouraged all Member States, as well as the organizations of the United Nations system and international organizations and other stakeholders, to approach the sanitation issue in a much broader context and to encompass all its aspects, including hygiene promotion, the provision of basic sanitation services, sewerage and wastewater treatment and reuse in the context of integrated water management,

Recalling also relevant commitments and initiatives promoting the human right to safe drinking water and sanitation, including the Panama Declaration, adopted at the third Latin American Sanitation Conference, in 2013, the Kathmandu Declaration, adopted at the fifth South Asian Conference on Sanitation, in 2013, the 2015 Dushanbe Declaration of the High-level International Conference on the Implementation of the International Decade for Action "Water for Life", 2005-2015, the commitments made on the human right to safe drinking water and sanitation at the high-level meeting on Sanitation and Water for All — in 2014 and the Ngor Declaration on Sanitation and Hygiene adopted at the fourth AfricaSan Conference in 2015,

Recalling further general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights)[11] and the statement on the right to sanitation of the Committee of 19 November 2010, as well

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[6] Ibid., vol. 1249, No. 20378.
[7] Ibid., vol. 1577, No. 27531.
[8] Ibid., vol. 2515, No. 44910.
[9] Resolution 70/1, annex.
[10] *Report of the United Nations Conference on Environment and Development. Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.
[11] E/C.12/2002/11.

as the reports of the Special Rapporteur of the Human Rights Council on the human right to safe drinking water and sanitation,

Welcoming the work of the World Health Organization and the United Nations Children's Fund in the 2015 update[12] published by their Joint Monitoring Programme for Water Supply and Sanitation,

Welcoming also the fact that, according to Joint Monitoring Programme reports of the World Health Organization and the United Nations Children's Fund, the Millennium Development target on safe drinking water was formally met, while being deeply concerned, however, that, according to the 2015 Joint Monitoring Programme update, 663 million people still lack access to improved drinking water sources and that eight out of ten people still without improved drinking water sources live in rural areas,

Deeply concerned that the world missed the sanitation component of Millennium Goal 7 by almost 700 million people and that more than 2.4 billion people still do not have access to improved sanitation facilities, including more than 946 million people who still practice open defecation, which is one of the clearest manifestations of extreme poverty, while noting that 2.1 billion people have gained access to an improved sanitation facility since 1990,

Deeply concerned also that women and girls often face particular barriers in accessing water and sanitation and that they shoulder the main burden of collecting household water in many parts of the world, restricting their time for other activities, such as education, work or leisure,

Deeply concerned further that the lack of access to adequate water and sanitation services, including menstrual hygiene management, including in schools, and the widespread stigma associated with menstruation have a negative impact on gender equality and on women and girls' enjoyment of their human rights, including the right to education,

Deeply concerned that women and girls are particularly vulnerable at risk and exposed to attacks, sexual and gender-based violence, harassment and other threats to their safety while collecting household water and when accessing sanitation facilities outside of their homes or practicing open defecation,

Deeply alarmed that, every year, almost 700,000 children under 5 years of age die as a result of water and sanitation related diseases, and millions of schooldays are lost, as a result of water- and sanitation-related diseases, underscoring that progress on reducing child mortality and stunting is also linked to women's access to safe drinking water and sanitation,

Reaffirming the responsibility of States to ensure the promotion and protection of all human rights, which are universal, indivisible, interdependent and interrelated, and must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Recalling the understanding by the Committee on Economic, Social and Cultural Rights and the Special Rapporteur on the human right to safe drinking water and sanitation that the rights to safe drinking water and sanitation are closely

[12] World Health Organization/United Nations Children's Fund, *Progress on Sanitation and Drinking Water*, Geneva, 2015.

related, but have distinct features which warrant their separate treatment in order to address specific challenges in their implementation and that sanitation too often remains neglected, if not recognized as a distinct right,

Recalling also that the human rights to safe drinking water and sanitation are derived from the right to an adequate standard of living and are inextricably related to the right to the highest attainable standard of physical and mental health, as well as to the right to life and human dignity,

Acknowledging the importance of equal access to safe drinking water and sanitation as an integral component of the realization of all human rights,

1. *Recognizes* that the human right to safe drinking water entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use, and that the human right to sanitation entitles everyone, without discrimination, to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity;

2. *Affirms* that the human rights to safe drinking water and sanitation are essential for the full enjoyment of life and all human rights;

3. *Welcomes* Goal 6 of the 2030 Agenda for Sustainable Development,[9] on ensuring the availability and sustainable management of water and sanitation, and that the corresponding targets 6.1, 6.2 and 6.3 include important dimensions components of the human rights to safe drinking water and sanitation;

4. *Also welcomes* the work of the Special Rapporteur of the Human Rights Council on the human right to safe drinking water and sanitation, and takes note with appreciation in particular of his first reports on affordability of water and sanitation services[13] and on the analysis of the different types of water and sanitation services from the perspective of the human right to safe drinking water and sanitation;[14]

5. *Calls upon* States:

(a) To ensure the progressive realization of the human right to safe drinking water and sanitation for all in a non-discriminatory manner while eliminating inequalities in access, including for individuals belonging to groups at risk and to marginalized groups, on the grounds of race, gender, age, disability, ethnicity, culture, religion and national or social origin or on any other grounds, with a view to progressively eliminating inequalities based on factors such as rural-urban disparities, residence in a slum, income levels and other relevant considerations;

(b) To ensure that the commitments regarding the human right to safe drinking water and sanitation are adequately integrated when implementing the 2030 Agenda for Sustainable Development, including through the full implementation of Goal 6;

(c) To continuously monitor and regularly analyse the status of the realization of the human right to safe drinking water and sanitation;

[13] A/HRC/30/39.
[14] A/70/203.

(d) To promote women's participation in decision-making on water and sanitation management and to ensure that a gender-based approach is adopted in relation to water and sanitation programmes, including measures to reduce the time spent by women and girls in collecting household water, in order to address the negative impact of inadequate water and sanitation services on the access of girls to education and to protect women and girls from being physically or sexually threatened or assaulted while collecting household water and when accessing sanitation facilities outside of their home or practicing open defecation;

(e) To progressively eliminate open defecation by adopting policies to increase access to sanitation for individuals belonging to vulnerable and marginalized groups;

(f) To approach the sanitation issue in a much broader context, taking into account the need to pursue integrated approaches;

(g) To consult with communities on adequate solutions to ensure sustainable access to safe drinking water and sanitation;

(h) To provide for effective accountability mechanisms for all water and sanitation service providers, both public and private, to ensure that they respect human rights and do not cause human rights violations or abuses;

6. *Invites* regional and international organizations to complement efforts by States to progressively realize the human right to safe drinking water and sanitation;

7. *Encourages* Member States to intensify global partnerships for sustainable development as a means to achieve and sustain the Goal and the targets of the 2030 Agenda for Sustainable Development, and highlights the need to develop adequate follow-up and review of progress on the agenda including on water and sanitation;

8. *Reaffirms* that States have the primary responsibility to ensure the full realization of all human rights and to endeavour to take steps, individually and collectively, through international assistance and cooperation, especially economic and technical cooperation, to the maximum of their available resources, with a view to progressively achieving the full realization of the right to safe drinking water and sanitation by all appropriate means, including, in particular, the adoption of legislative and policy measures;

9. *Stresses* the important role of the international cooperation and technical assistance provided by States, the specialized agencies of the United Nations system and international and development partners, as well as by donor agencies, in the achievement of the 2030 Agenda for Sustainable Development, including Goal 6 and targets 6.1, 6.2 and 6.3, and urges development partners to adopt a human rights-based approach when designing and implementing development programmes in support of national initiatives and plans of action related to the rights to safe drinking water and sanitation;

10. *Decides* to continue its consideration of the question at its seventy-second session.